

- 1 Q. What did you do for them?
 2 A. Essentially the same thing. Our involvement
 3 with Israel Aircraft was, you know, a good deal
 4 less than it was for the Chinese. We didn't
 5 actually design anything for them, but they
 6 came to our shop and, you know, looked at what
 7 we did, and we -- you know, we explained how to
 8 keep Beryllium out of the air, you know, the
 9 same kinds of things, how you take care of the
 10 gray water used from washing, you know, how all
 11 these things are done.
 12 Q. How to protect your workers?
 13 A. Yes.
 14 Q. Did you ever go to their facility?
 15 A. No, I never did. I have never been to Israel.
 16 Q. Did you consult with any other companies,
 17 besides --
 18 A. No, that's it.
 19 Q. Just those two?
 20 A. Yeah.
 21 Q. Have you ever sought to do any Beryllium health
 22 and safety consulting work since your work for
 23 the Israeli company?
 24 A. No. I don't advertise, you know, as somebody

- 1 to your knowledge, but you weren't denying that
 2 that may have happened, were you?
 3 A. No, that may have happened. I have no way to
 4 know, Frances, what they did with stuff we made
 5 and sent to them.
 6 Q. So it is possible --
 7 A. We think we're manufacturing finished goods
 8 because that's what we're in the business of
 9 doing once it leaves our plant, you know. If
 10 Hughes Aircraft decided they wanted to put a
 11 hole someplace, they were perfectly capable of
 12 doing it. They had the facilities to do
 13 anything they wanted, and what we got was the
 14 stuff that they couldn't process themselves.
 15 It was either that or a speed ring, which was
 16 the other, you know --
 17 Q. So you're not denying that they may have been
 18 changed once they went to --
 19 A. No.
 20 Q. -- the buyer?
 21 A. No. Anything is possible, Frances.
 22 Q. When you were explaining how you didn't have
 23 salesmen really, you did have -- that was more
 24 of a structure of how the company is run, isn't

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- 1 who is a real expert in this. I don't have the
 2 medication for it, just practical experience.
 3 Q. What education do you have?
 4 A. Well, I have a degree in business, but I spent
 5 my life as an engineer.
 6 Q. Is that a college degree?
 7 A. Yeah.
 8 Q. Where did you go to college?
 9 A. Merrimack College.
 10 Q. What year did you graduate?
 11 A. '66.

12 MR. UBERSAX: Those are all the
 13 questions I have.

14 MS. BRYANT: I have no
 15 questions.

16 MS. LINDEMANN: I have a couple
 17 of questions just to clarify.

18 THE WITNESS: Go ahead, yes.

19 CROSS-EXAMINATION BY MS. LINDEMANN

- 20 Q. A couple of times Mr. Honik had asked you about
 21 what happened to the parts after they left your
 22 plant and whether they were -- and any changes
 23 were made to them or they were installed, and
 24 your -- my understanding of your answer was not

1 it? I mean, there were people who were
 2 procuring orders?
 3 A. Well, there were people writing orders. We had
 4 a reputation for the kind of work we do, very
 5 good reputation, you know, for doing fine
 6 experimental machining, and, you know, people
 7 all over the country because we did a lot of it
 8 for MIT and Draper Labs, and those engineers
 9 went everywhere.

10 And so we had a good reputation,
 11 and so we didn't have to have somebody -- a
 12 salesman on the road. I did some of that when
 13 I was in college, but that was so my dad could
 14 keep me eating, you know.

15 We had a rep on the West Coast.
 16 Today we have reps, but in those days we were
 17 too small to even, you know -- we stayed busy,
 18 and who needed to pay a salesman?

- 19 Q. To your knowledge, was Hardric ever an approved
 20 vendor for Raytheon Waltham?
 21 A. No, no. They thought we were a joke.
 22 Q. But you don't deny -- you have seen the
 23 documents. You don't deny that there was some
 24 job done where the Beryllium was paid for by



- 1 Q. What is your relationship to Hardric Labs or
2 Laboratories?
3 A. May I ask a question?
4 Q. Sure.

5 MS. LINDEMANN: Clarification.
6

7 THE WITNESS: No, I just want to
8 know if we're discussing -- because this
9 business is between '84 and '93, as I
understand it.

10 MS. LINDEMANN: But he's going
11 to probably cover a broader background area, so
12 that's appropriate. So you may answer the
13 question about your relationship all the way
back.

14 THE WITNESS: Okay.

15 MS. LINDEMANN: Yes.

- 16 A. Currently I own 75 percent of Hardric
17 Laboratories.
18 Q. What is Hardric Laboratories?
19 A. We're a small machining and optics company.
20 Q. Where is it located?
21 A. In North Chelmsford, Massachusetts.
22 Q. What's the address there?
23 A. 70 Princeton Street.

13 1 Chelmsford. There were two employees who had
2 been working for us for many years and could
3 not move or make that drive to North
4 Chelmsford. We kept the shop opened there so
5 that they would continue to have a job, and
6 finally when one of them died and the other
7 retired, we closed that plant.
8 Q. Would it be fair to say that the operations
9 that you did at Waltham were the same as those
10 that took place at Princeton?
11 A. Oh, yes.
12 Q. And how many employees altogether would you say
13 you had from '96 to the present?
14 A. Around 30.
15 Q. Three zero?
16 A. Three zero.
17 Q. And I asked the question poorly. How many did
18 you have at any one time? What was the maximum
19 during that period of time?
20 A. 30.
21 Q. Tell me what kinds of operations you maintained
22 at these locations.
23 A. Waltham evolved into an optics operation. We
24 did -- made mirrors at that operation, scan

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1 Q. How long has Hardric done business there?
2 A. Approximately ten years.
3 Q. So since roughly '96?
4 A. Roughly.
5 Q. Has it from then until now maintained any other
6 places of business?
7 A. We had a plant in Waltham at 1490 Main Street.
8 Q. When was that?
9 A. From 1960 through -- and it was finally
0 abandoned about three years ago, so the shop
1 was active there for that period of time.
2 Q. So from roughly '96 to 2003 Hardric operated
3 two facilities?
4 A. Yes.
5 Q. Did it operate any other facilities between '96
6 and the present?
7 A. No.
8 Q. What did you do in -- is it Chelmsford or
9 Chelmsford?
10 A. Chelmsford.
11 Q. What did the company do at the Chelmsford
12 location versus the Waltham location when they
13 operated simultaneously?
14 A. We moved the majority of our shop to North

1 mirrors.
2 Q. What kind of equipment did you use to do that?
3 A. Lapping machines.
4 Q. Anything else?
5 A. Not for that purpose, no.
6 Q. Was there any other equipment in use at the
7 Waltham location?
8 A. Yes.
9 Q. What was that?
10 A. There were milling machines and lathes.
11 Q. Any other equipment?
12 A. No -- inspection equipment, let me correct
13 that, all right.
14 Q. Were Beryllium-containing products made or
15 worked on at the Waltham location?
16 A. Yes.
17 Q. What types of Beryllium-containing products
18 were worked on there?
19 A. We made components from Beryllium metal.
20 Q. What kinds of metals, if you can identify it
21 further?
22 A. Beryllium metals.
23 Q. Did you work with Beryllium-containing alloys?
24 A. Yes.

1 Q. How do you know that Hardric Labs had liability
2 insurance -- general commercial liability
3 insurance in the 1980's?
4 A. Because it was our policy to carry insurance.
5 Q. And did that policy continue to be the case
6 throughout the '90's and into 2000 and today?
7 A. We always carried liability insurance.
8 Q. Always?
9 A. Yes.
10 Q. And did it cover, to the best of your
11 knowledge, Hardric Labs for product sales that
12 alleged or alleged to have caused harm?
13 A. You are talking about product liability
14 insurance?
15 Q. Yes.
16 A. No.
17 Q. It didn't cover that?
18 A. No, we did not buy it. We couldn't afford to
19 do it.
20 Q. Did you ever have product liability insurance?
21 A. No, sir.
22 Q. Did you do anything to determine whether or not
23 your general commercial liability coverage
24 might extend coverage for this loss?

1 A. Some years ago.
2 Q. Who took over after that?
3 A. I don't know.
4 Q. You don't know who placed the coverage after
5 Joe Glynn?
6 A. No.
7 MR. HONIK: Those are all the
8 questions I have for now, sir. Other lawyers
9 may have some questions.
10 MR. UBERSAX: Just very few.
11 CROSS-EXAMINATION BY MR. UBERSAX
12 Q. Mr. Richard, again, my name is Jeff Ubersax. I
13 represent Brush Wellman.
14 A. Yeah.
15 Q. I was just interested in your comment that in
16 the '80's you were a consultant --
17 A. Yes.
18 Q. -- to some other companies on Beryllium health
19 and safety.
20 A. Yes.
21 Q. How did you get into that?
22 A. We had so much experience. The American
23 Society of Mechanical Engineers, that's ASME,
24 asked me if, indeed, after touring my plant and

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1 A. Yeah. Richard Charbonnier called them up and
2 asked if we were covered, and, of course, they
3 said no.
4 Q. Who did he call?
5 A. I don't know. He called our insurance company.
6 Q. Who is that?
7 A. I don't know.
8 Q. Do you know who your broker is?
9 A. Not anymore.
10 Q. Do you know who it used to be?
11 A. Yes.
12 Q. Who is that?
13 A. It used to be Glynn Insurance. They were in
14 Waltham.
15 Q. Spell it.
16 A. G-L-Y-N-N.
17 Q. And who was the representative or person or
18 persons --
19 A. Joe Glynn.
20 Q. Did you speak to him about coverage for this
21 loss?
22 A. No.
23 Q. When was the last time that Glynn Insurance
24 placed any coverage for Hardric?

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1 seeing what we did for Beryllium safety asked
2 us if we would consult with them because they
3 were designing a plant at Beijing University to
4 process Beryllium, and I thought it was a
5 wonderful opportunity because I got a chance to
6 bring my wife and children to China for a
7 visit, and I would spend about a week lecturing
8 them and finding out what their needs were, and
9 then the rest of the time we went on vacation.
10 Q. So you gave lectures to the Chinese?
11 A. Yes.
12 Q. And what -- were these lectures about the
13 health risks associated with Beryllium?
14 A. Yes.
15 Q. Did you talk to them about chronic Beryllium
16 disease?
17 A. No, no. They knew about the disease.
18 Q. Okay.
19 A. All right. What they wanted to know was how to
20 handle it, how to handle the material, how to
21 keep the Beryllium out of the air, and what
22 processes we used to do that.
23 Q. All right. So what kind --
24 A. And how to measure it and that sort of thing.